

WSR 25-18-013
RULES OF COURT
STATE SUPREME COURT
[July 2, 2025]

IN THE MATTER OF THE PROPOSED) ORDER
AMENDMENTS TO CrR 4.1/CrRLJ 4.1) NO. 25700-A-1653
—ARRAIGNMENT AND CrRLJ 3.2.1)
—PROCEDURE FOLLOWING
WARRANTLESS ARREST—
PRELIMINARY HEARING

The King County Department of Public Defense and the Snohomish County Public Defender Association, having recommended the adoption of the proposed amendments to CrR 4.1/CrRLJ 4.1—Arraignment and CrRLJ 3.2.1—Procedure Following Warrantless Arrest—Preliminary Hearing, and the Court having published the proposed amendments for comment, and having considered the proposed amendments, and having determined that the proposed amendments will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:

(a) That the proposed amendments as shown below are adopted.

(b) That the proposed amendments will be published in the Washington Reports and will become effective September 1, 2025.

DATED at Olympia, Washington this 2nd day of July, 2025.

Table with 2 columns of names: Yu, J.; Montoya-Lewis, J.; Whitener, J.; Mungia, J.; Madsen, J.; Gonzalez, J.; Gordon McCloud, J.

CrR 4.1
ARRAIGNMENT

(a) Time.

(1) Defendant Detained in Jail. The defendant shall be arraigned not later than 14 3 days after the date the information or indictment is filed in the adult division of the superior court, if the defendant is (i) detained in the jail of the county where the charges are pending or (ii) subject to conditions of release imposed in connection with the same charges. At the time of the arraignment, the defendant shall have an opportunity to argue bail and other conditions of release pursuant to CrR 3.2.

(2) [Unchanged.]

(b) - (f) [Unchanged.]

Comment

[Unchanged.]

CrRLJ 4.1
ARRAIGNMENT

(a) Time.

(1) Defendant Detained in Jail. The defendant shall be arraigned not later than 14 3 days after the date the complaint or citation and notice is filed in court, if the defendant is (i) detained in a county

or city jail in the county where the charges are pending, or (ii) subject to conditions of release imposed in connection with the same charges. At the time of the arraignment, the defendant shall have an opportunity to argue bail and other conditions of release pursuant to CrRLJ 3.2.

(2) [Unchanged.]

(b)-(g) [Unchanged.]

CrRLJ 3.2.1

PROCEDURE FOLLOWING WARRANTLESS ARREST—PRELIMINARY HEARING

(a)-(f) [Unchanged.]

(g) Preliminary Hearing on Felony Complaint.

(1) When a felony complaint is filed, the court ~~may~~ must conduct a preliminary hearing within 48 hours to determine whether there is probable cause to believe that the accused has committed a felony unless an information or indictment is filed in superior court prior to the time set for the preliminary hearing. If the court finds probable cause, the court shall bind the defendant over to the superior court. If the court binds the accused over, or if the parties waive the preliminary hearing, an information shall be filed within 3 days without unnecessary delay. Jurisdiction vests in the superior court at the time the information is filed.

(2) If at the time a felony complaint is filed with the district court the accused is detained in jail or subjected to conditions of release, the time from the filing of the complaint in district court to the filing of an information in superior court shall not exceed ~~30~~ 5 days plus any time ~~which~~ that is the subject of a stipulation under subsection (g)(3). If at the time the complaint is filed with the district court the accused is not detained in jail or subjected to conditions of release, the time from the accused's first appearance in district court ~~which~~ that next follows the filing of the complaint to the time of the filing of an information in superior court shall not exceed 30 days, excluding any time ~~which~~ that is the subject of a stipulation under subsection (g)(3). If the applicable time period specified above elapses and no information has been filed in superior court, the case shall be dismissed without prejudice.

(3) Before or after the preliminary hearing or a waiver thereof, the court may delay a preliminary hearing or defer a bind-over date if the parties stipulate in writing that the case shall remain in the court of limited jurisdiction for a specified time, which may be in addition to the ~~30~~ 5-day time limit established in subsection (g)(2).

(4)-(6) [Unchanged.]